

FILED

NOV - 1 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BINGHAM McCUTCHEN LLP
DAVID M. BALABANIAN (SBN 37368)
CHRISTOPHER B. HOCKETT (SBN 121539)
JOY K. FUYUNO (SBN 193890)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: (415) 393-2000
Facsimile: (415) 393-2286

Attorneys for Defendant
Intel Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IAN WALKER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

INTEL CORPORATION, a Delaware
corporation,

Defendant.

No. C-05-2882-MHP

**STIPULATION AND [PROPOSED]
ORDER TO STAY DATES, EVENTS
AND DEADLINES PENDING THE
OUTCOME OF THE MOTION TO
TRANSFER AND COORDINATE OR
CONSOLIDATE PURSUANT TO
28 U.S.C. § 1407**

WHEREAS, on July 14, 2005, Plaintiff filed the instant action in the Northern
District of California ("Walker Action");

WHEREAS, on or about July 11, 2005, the plaintiffs in *Brauch, et al. v. Intel
Corp.*, No. C 05-2743 (BZ) (N. D. Cal., filed July 5, 2005), a related matter, moved before the
Judicial Panel on Multi-District Litigation ("MDL"), to transfer and coordinate or consolidate for
pre-trial proceedings pursuant to 28 U.S.C. § 407 ("MDL Motion"), and the Walker Action has
been identified as a related action subject to that motion;

1 WHEREAS, on or about July 27, 2005, Judge Patel issued a Related Case Order
 2 relating this case to an earlier filed case assigned to her, and canceling or staying certain but not
 3 all dates, events and deadlines in the action;

4 WHEREAS, to date, a decision has not been rendered on the MDL Motion;

5 WHEREAS, the outcome of the MDL Motion will impact significantly the
 6 schedule of this case;

7 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,
 8 by and among counsel for Plaintiff Walker, and counsel for Defendant Intel Corporation, that
 9 any events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure,
 10 including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules") and Federal
 11 Rules of Civil Procedure 16 and 26, and any deadlines established in any case management order
 12 applicable to this case should be stayed pending the outcome of the aforementioned MDL
 13 Motion; and

14 IT IS FURTHER STIPULATED by the aforementioned parties that if a case
 15 management conference is rescheduled by the Court, the parties shall adjust the dates for any
 16 conference, disclosures or reports required by the Local Rules or Federal Rules of Civil
 17 Procedure, including the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26
 18 accordingly.

19 IT IS HEREBY STIPULATED.

20 Dated: October 28, 2005

FINKELSTEIN, THOMPSON &
 LOUGHRAN

22 By: /s/ Ali Oromchian
 23 Ali Oromchian
 Attorneys for Plaintiff
 Ian Walker

1 Dated: October 28, 2005

BINGHAM McCUTCHEN LLP

2
3 By: /s/ Joy K. Fuyuno
4 Joy K. Fuyuno
5 Attorneys for Defendant
6 Intel Corporation
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**[PROPOSED] ORDER TO STAY DATES, EVENTS AND DEADLINES
PENDING THE OUTCOME OF THE MDL MOTION**

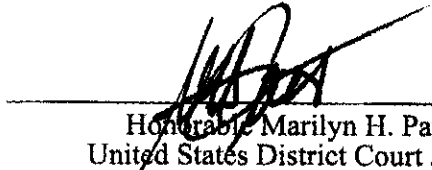
Any events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure, including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules") and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case management order applicable to this case are hereby stayed pending the outcome of the motion to transfer and coordinate or consolidate pursuant to 28 U.S.C. § 1407 ("MDL Motion").

Upon the determination of the MDL Motion, if it is necessary for the Court to reschedule a case management conference, the parties shall adjust the dates for any conference, disclosures or reports required by the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26 accordingly.

The parties shall notify the Clerk of Court within 10 days of the decision on the MDL Motion.

IT IS SO ORDERED.

Dated: _____



Honorable Marilyn H. Patel
United States District Court Judge